

REMARKS

Applicants submit this Reply in response to the non-final Office Action dated October 2, 2007. Claims 27-52 are pending, of which claims 27, 40, and 50-52 are independent. Applicants have amended each of the pending claims 27-52. In the non-final Office Action, the Examiner rejected claims 27-52 under 35 U.S.C. § 112, ¶ 2 as being indefinite. In addition, the Examiner rejected claims 27, 30, 33-35, 38, 40, 44-46, 49, and 51 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,510,145 ("Kim et al."). The Examiner rejected claims 31, 32, 36, 37, 43, 47, and 48 under 35 U.S.C. § 103(a) as being unpatentable over Kim et al.. The Examiner also rejected claims 28, 29, 41, and 42 under Section 103 as being obvious over Kim et al. in view of U.S. Patent No. 6,308,178 ("Chang et al.") and rejected claims 39, 50, and 52 as being obvious over Kim et al. in view of U.S. Patent No. 7,016,951 ("Longworth et al."). Applicants respectfully traverse these pending rejections and request reconsideration of the application, as presently amended.

Rejections Under 35 U.S.C. § 112, ¶ 2

Regarding claims 27 and 40, the Examiner contended that the claim terms "service contents" and "interpreting said packets" were indefinite because they have unclear meanings. In this response, Applicants have amended claims 27 and 40 to remove the term "interpreting said packets." In addition, Applicants have amended claims 27 and 40 to clarify that the claimed "service contents" are "multimedia service contents," i.e., contents associated with a multimedia service. In view of these amendments, Applicants submit that the Section 112 rejections of claims 27 and 40 should be removed.

Regarding claims 28 and 41, the Examiner contended that the claim terms “defining said corresponding service logic” and “add-on cartridge” were indefinite because they have unclear meanings. Applicants have amended claims 28 and 41 to remove the terms “defining said corresponding service logic” and “add-on cartridge.” Further, Applicants have also amended these claims to clarify that “each software cartridge contain[s] software specific to a given multimedia service.” In view of these amendments, Applicants submit that the Section 112 rejections of claims 28 and 41 also should be removed.

Regarding claim 30, the Examiner contended that the claimed “presentation and interaction” modules were indefinite because they have unclear meanings. In this response, Applicants have amended claim 30 to recite, among other things, “the presentation module configured to present the received multimedia service contents at the at least one terminal and the interaction module configured to facilitate user interaction between the received multimedia service contents and a user at the at least one terminal.” Because these amendments clarify the meanings of the claimed presentation and interaction modules, Applicants submit that the Section 112 rejection of claim 30 should be removed.

Regarding claims 32 and 43, the Examiner contended that the claim terms “content building blocks adapted to be shared” and “to co-ordinate” were indefinite because they have an unclear meaning. In this response, Applicants have amended claims 28 and 41 to remove the terms “content building blocks adapted to be shared” and “to co-ordinate,” thereby obviating these Section 112 rejections.

Regarding claim 39, the Examiner contended that the claim term “mapping the actions” was indefinite because it has an unclear meaning. In this response, Applicants have amended claim 39 to remove the term “mapping the actions,” thereby obviating the Section 112 rejection of this claim.

Regarding claims 34 and 43, the Examiner contended that the claim term “such as” was indefinite because it is unclear whether limitations following this phrase are part of the claimed invention. In this response, Applicants have amended claims 34 and 43 to remove the term “such as.” Accordingly, the Section 112 rejections of claims 34 and 43 should also be removed.

Rejections Under 35 U.S.C. § 102(e)

In order to properly establish an anticipation rejection under 35 U.S.C. § 102(e), every element of the claims at issue must be found in the applied prior-art reference, either expressly or under principles of inherency. Furthermore, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.” See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). In this case, Kim et al. fails to teach or suggest every element of Applicants’ invention.

Each of Applicant’s independent claims 27, 40, and 50-52 calls for a combination including, for example, “at least one delivery packet containing multimedia service contents and further containing a corresponding service logic defining how the multimedia service contents are presented.” Applicants submit that Kim et al. fails to teach or suggest at least a delivery packet “containing multimedia service contents and further containing a corresponding service logic defining how the multimedia service

contents are presented,” as recited in each of Applicants’ independent claims. For at least this reason, Kim et al. cannot legally anticipate independent claims 27, 40, and 50-52, as presently amended.

Kim et al. discloses a method and apparatus “for providing a packet data service in a CDMA mobile communication system such that channels are occupied only during packet transmission/reception while a call is established.” Kim et al., col. 3, ll. 37-41. To that end, Kim et al. discloses that a “new channel structure [is] introduced” (*id.*, col. 3, ll. 44-45), whereby “occupation of the reverse (forward) packet traffic channel is released during a data transmission suspension period; and the base station controls the reverse (forward) packet traffic channel over a packet control channel.” *Id.*, col. 3, ll. 52-56.

Because Kim et al. is directed towards a new packet channel structure for a CDMA network, Kim et al. only generally discloses “packet data” that is transmitted over the channel structure. See, e.g., Kim et al., col. 5, l. 9 to col. 6, l. 49 (generally referring to “packet data” transmitted over the disclosed packet channels). The packet data in Kim et al. may contain voice data that is transmitted between a base station and mobile terminal. See *id.*, col. 9, l. 59 to col. 10, l. 23.

Although Kim et al. indicates that voice data may be transmitted using the disclosed packet channel structure, Kim et al. is entirely silent regarding whether the voice data is transmitted in “at least one delivery packet containing multimedia service contents and further containing a corresponding service logic defining how the multimedia service contents are presented,” as recited in Applicants’ amended independent claims. That is, even if the voice data in Kim et al. could reasonably

constitute “multimedia service contents,” as claimed, Kim et al. fails to teach or suggest transmitting the voice data in a data packet that also contains “a corresponding service logic defining how the multimedia service contents are presented,” as recited in amended independent claims 27, 40, and 50-52. Indeed, there does not appear to be any reason why the “new channel structure” taught in Kim et al. would require data packets to contain “multimedia service contents” and further contain “a corresponding service logic defining how the multimedia service contents are presented,” since presentation of multimedia service contents is irrelevant to Kim et al.’s disclosed channel structure.

Applicants submit that independent claims 27, 40, and 50-52, as amended, are patentable over the Kim et al. at least because Kim et al. fails to teach or suggest “at least one delivery packet containing multimedia service contents and further containing a corresponding service logic defining how the multimedia service contents are presented,” as claimed. Dependent claims 30, 33-35, 38, 44-46, and 49 depend on independent claims 27 and 40 and are therefore allowable for at least the same reasons.

Rejections Under 35 U.S.C. § 103(a)

Applicants respectfully traverse the Section 103(a) rejections of claims 28, 29, 31, 32, 36, 37, 39, 41, 42, 43, 47, 48, 50, and 52. To establish a *prima facie* case of obviousness, “All Claim Limitations Must Be Considered.” M.P.E.P. § 2143.03 (8th ed., rev. 6, Sept. 2007). More specifically, the M.P.E.P. requires that “[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art.” *Id.* (quoting In re Wilson, 424 F.2d 1382, 1385 (CCPA 1970)).

Applicants submit that a *prima facie* case of obviousness has not been established for at least the reason that the cited art, whether taken alone or in combination, fails to teach or suggest every element recited in Applicants' independent claims 27, 40, and 50-52, from which claims 28, 29, 31, 32, 36, 37, 39, 41, 42, 43, 47, and 48 depend. As discussed above, with reference to the pending Section 102(e) rejections, Kim et al. fails to teach or suggest at least "at least one delivery packet containing multimedia service contents and further containing a corresponding service logic defining how the multimedia service contents are presented," as recited in Applicants' amended independent claims and required by their dependent claims.

Moreover, neither Chang et al. nor Longworth et al., whether taken alone or in combination, remedies the above-noted deficiency in Kim et al.. For example, the Examiner appears to have relied on Chang et al. solely for its alleged disclosure of an "add-on cartridge" (*e.g.*, see Office Action dated October 2, 2007, ¶ 8) and on Longworth et al. only for its alleged disclosure of an interpreter module for mapping the actions and contents conveyed by the delivery packets onto presentation and interaction modules (*e.g.*, see Office Action dated October 2, 2007, ¶ 9).

Accordingly, Applicants' pending claims 28, 29, 31, 32, 36, 37, 39, 41, 42, 43, 47, 48, 50, and 52, as presently amended, are allowable over the art of record for at least the reason that the Examiner's asserted combinations fail to teach or suggest "at least one delivery packet containing multimedia service contents and further containing a corresponding service logic defining how the multimedia service contents are presented," as recited in Applicants' amended independent claims and required by their dependent claims.

Conclusion

The preceding remarks are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding remarks in favor of patentability are advanced without prejudice to other possible bases of patentability.


In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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